

FAMILY BROADCASTING, INC.

PROPOSED HEARING EXHIBITS

MM DOCKET NO. 94-20
HAGUE, NEW YORK

RECEIVED

DEC - 6 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

LAW OFFICES OF JOSEPH E. DUNNE III

Suite 520
1000 Thomas Jefferson Street, N.W.
Washington, D.C. 20007
Telephone: 202-298-6345
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October 19, 1994

HAND DELIVER

Robert Zauner, Esq.
Hearing Division, Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, DC 20554

RE: Exchange of Exhibits In Hague Proceeding

Dear Mr. Zauner:

In accordance with the procedural schedule established by the Presiding Officer's Order, FCC 94M-462 (released August 3, 1994), Family Broadcasting, Inc., by and through its undersigned attorney, hereby exchanges the exhibits it intends to move into evidence at the hearing in the Hague, New York proceeding scheduled for November 2, 1994.

Should any questions arise concerning this matter, kindly contact the undersigned directly.

Respectfully submitted,

FAMILY BROADCASTING, INC.

By: Joseph E. Dunne III
Joseph E. Dunne III
its Attorney

JED:B91

enclosure

xc: The Honorable John Frysiak (Hand Deliver)
Alexander D. McEwing

INDEX OF EXHIBITS

- Exhibit 1. Testimony of Alexander D. McEwing
- Exhibit 2. Testimony of Peter Morton
- Exhibit 3. Testimony of Gary S. Savoie
- Exhibit 4. Testimony of Robert G. Short
- Exhibit 5. Testimony of George A. Schiavone
- Exhibit 6. Testimony of Scott G. Slocum

Federal Communications Commission	
Docket No. <u>94-20</u>	Exhibit No. <u>1</u>
Presented by <u>FAMILY BROADCASTING</u>	
Disposition	Identified <u>11/2</u>
	Received <u>11/2</u>
	Rejected _____
Reporter <u>BANK BARTHOLO</u>	
Date <u>11/2/94</u>	

TESTIMONY OF ALEXANDER D. McEWING

1. My name is Alexander D. McEwing, and my residence address is 140 Main Street, No. 2, Essex Junction, Vermont, 05452. I am the president, a director, and own 39.8 percent of the stock of Family Broadcasting, Inc. ("Family"). Family Broadcasting, Inc. is the licensee of WGLY-FM, Waterbury, Vermont; WGLV-FM, Hartford, Vermont; and, low power television station W39AS, Burlington, Vermont. Family is also the permittee of WMNV-FM, Rupert, Vermont, which, we hope, will soon be on the air. I am also the president and a director of Christian Ministries, Inc., a nonprofit nonstock organization that has applied for noncommercial FM stations in Bolton (BPED-931103MA) and Barre (BPED-930311MA), Vermont.

2. I have been the largest stockholder and the president of Family Broadcasting, Inc., the licensee of WGLY-FM, since February 12, 1986. We have filed many FCC applications since then, including an application for a new facility in Voorheesville, New York, which we dismissed as part of a settlement right before the hearing (BPH-871215MA). In all that time, including as part of the contested litigation over the Voorheesville channel, no one has ever questioned my character, integrity or veracity, nor has the FCC ever even found me guilty of even a technical violation.

3. My account of my telephone conversation with Nicholas Westbrook was covered in a Verified Statement submitted to the FCC on June 1, 1993. I hereby reaffirm the truth and accuracy of that statement (Attachment A).

4. When I spoke to Mr. Westbrook I knew what "reasonable

assurance" meant because I had spoken with my communications counsel, Joseph E. Dunne III, concerning the matter. He told me that I needed "reasonable assurance" from the site owner to specify a site in an FCC application. I understood that I didn't need to have negotiated the terms and conditions of a lease to have reasonable assurance of a site, but that Family, at least, had to have the permission of the site owner to specify the site in an application. In fact, I explained what "reasonable assurance" was to Mr. Westbrook during the course of our conversation. My counsel's explanation of the matter was included in a letter to me enclosing the application. The pertinent part of the letter is included in Attachment B.

5. After my conversation with Nicholas Westbrook on September 18, 1991, I immediately called Gary Savoie, a consulting engineer. I asked Gary to prepare the application for channel 229A and told him that there was some urgency in the matter because the window for filing for the allocation has closed and the application would be a "first-come, first-served" application. I told Gary to specify the Mt. Defiance site of WANC-FM, and gave him some technical information about the site. I remember that Gary specifically asked me if I had gotten permission to use the site, I guess because he wanted to know if he would have to make the contact, and, perhaps also, for the site certification in the application. Gary asked me something like: "have you got the site?" I told him "yes," that I had just spoken with Nicholas Westbrook and had asked him if we could use the site in our

application, and he had expressed no objection, but said that he wanted a formal proposal with technical details, in writing, to present to his board of directors. Gary also asked me who to call if he needed further technical information, and I gave him Dave Goletti's number at WANC-FM.

6. Gary prepared the engineering specifying the Mt. Defiance site, and I signed the application certified its accuracy on behalf of Family Broadcasting, Inc. before the application was filed with the FCC on September 24, 1991. I didn't speak to Gary again about the application until some time after I received Mr. Westbrook's November 14 letter. I was angry and upset after I received the letter and I recall speaking with Gary about it. I told him about Westbrook's letter and that Westbrook had changed his mind since I spoke with him in September. I also asked Gary if he knew anything about Mr. Westbrook's response, and he told me that he didn't, that he had called WANC shortly after my call to him in September, and that the WANC person with whom he spoke didn't indicate there was any problem, in fact, they were extremely cooperative.

7. Right after I received Mr. Westbrook's letter, I called Peter Morton, another consulting engineer with whom I am acquainted, and told him that I would need his help to find a new site and to prepare the engineering portions of an amendment to our Hague application to move the site. I called Mr. Morton because I knew he worked in Ft. Ticonderoga and was familiar with the area and with its possible tower sites. I spoke with Peter very soon after I received Mr. Westbrook's letter and Mr. Westbrook had

refused to take my telephone call, so I was angry. I told Peter that Westbrook had originally indicated to me that he had no objections to specifying the site and that he "had pulled the rug out from under us." Peter told me that he was puzzled that Westbrook had changed his mind, since Peter had asked him if he (Mr. Morton) could use the Ft. Defiance site during the summer and had been told exactly the same thing that I had. Peter thought that Westbrook had agreed for him to use the site too.

8. I can categorically state that when I hung up the telephone after speaking with Mr. Westbrook I thought that I had obtained his permission to specify the Mt. Defiance site in our Hague application, and that all I needed to do was describe our technical proposal in writing for him to take to the Board. As I noted in my earlier Verified Statement, I got distracted by other business and never sent the letter that I told Mr. Westbrook that I would. I regret that I didn't, but that doesn't change the fact that I thought he had given us permission to specify the site during our telephone call.

9. Mr. Westbrook's Mt. Defiance site is by far and away the best site for the Hague allocation. It is not, however, the only one. I was investigating one other site that was available when I called Mr. Westbrook, and following his letter I was able to obtain a new site within six weeks. Repeated attempts to speak to with Mr. Westbrook following his letter to me were unsuccessful, he was "unavailable" to speak to me. I communicated the fact that we were pursuing another site in my reply letter to Mr. Westbrook on

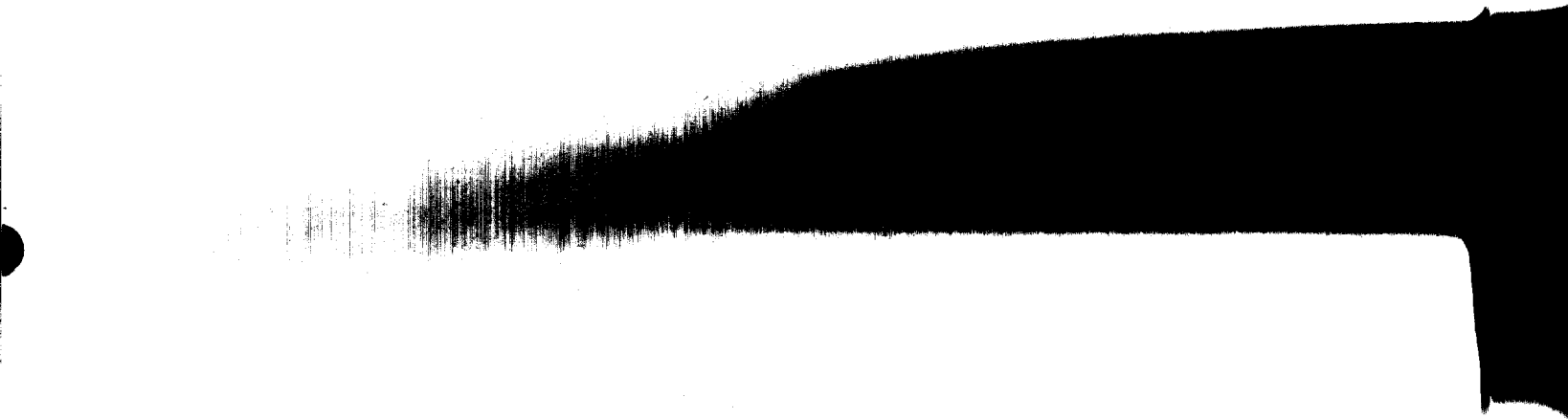
November 18, 1991. (See Attachment A)

SUPPORTING DECLARATION

I, Alexander D. McEwing, hereby swear under penalty of perjury of the laws of the United States and the State of Vermont, that the forgoing "Testimony of Alexander D. McEwing," consisting of five (5) pages, was prepared under my direction for submission to the Federal Communications Commission in connection with MM Docket Number 94-20, Family Broadcasting, Inc., and that the testimony is true and correct to the best of my knowledge and belief.

Executed this 19th day of October, 1994

By: Alexander D. McEwing
Alexander D. McEwing



TESTIMONY OF ALEXANDER D. McEWING

ATTACHMENT A

VERIFIED STATEMENT FILED JUNE 1, 1993

VERIFIED STATEMENT

I, Alex D. McEwing, under penalty of perjury of the laws of the State of Vermont and the United States of America, hereby depose and say as follows:

1. I am the president of Family Broadcasting, Inc., which has applied for a new FM radio station to serve Hague, New York. I am responsible for preparing and reviewing the application for Hague, New York, file no. BPH-910924MB, and certified that the representations in the application are true and accurate.

2. I began looking for a site for the Hague application, and determined that the Mt. Defiance site was the best site for the application. I telephoned an acquaintance, Mr. Dave Galletly at WANC, to find out if he knew who controlled the site. He did, and gave me the name of "Nick Westburg (sic)" and Mr. Westbrook's telephone number. Mr. Galletly was familiar enough with the site to give me technical information concerning the site, and he told me that space might be available on the tower. My notes of the conversation with Mr. Galletly and subsequently, with Mr. Westbrook, are attached as Attachment A.

3. As noted in Family's telephone records (included in Attachment B), I called Mr. Westbrook immediately concerning the Mt. Defiance antenna site. I was under some time pressure to get the application on file as soon as possible, because the allocation was vacant and I knew that this was a "first come-first served" application. I introduced myself as a representative of Family Broadcasting, and stated that I knew that they had a tower and that I wanted to check to see if the tower were available for an FM for which Family was applying to serve Hague, New York.

4. Mr. Westbrook stated that they needed a "formal proposal," and proceeded to discuss with me what should be included in such a proposal. Mr. Westbrook stated that they would need to know the lessee's tax status, and I explained what Family's tax status was. He also noted that the proposal should include the sort of rent we proposed to pay, the time frame in which we anticipated that the station would be built, how much room Family would require in the building, and approximately how much electricity the station would use.

5. During the conversation I believe I mentioned the sort of rent we would be suggesting, and my note concerning "tenant 1% of gross" refers, I believe, to a comment by Mr. Westbrook about how much rent they were presently receiving from one of their tenants.

6. Following this discussion I explained to Mr. Westbrook that the FCC process was a long process, and that Family would not likely receive a construction permit to build the station for 18 months to three years. It would be many months before we would need space on

the tower. I also told him, however, that we were under some time constraints to get the application on file. I explained to him that all the FCC required to allow an applicant to file an application was "reasonable assurance" that the site would be available. I told Mr. Westbrook that "reasonable assurance" required that he had a site available and that he would be willing to rent the site to us. I told him that we didn't need to agree on a specific monthly rental, that those details could be negotiated in the future if they were willing to rent the site to us.

7. Because we were in a hurry to get the application on file, I asked Mr. Westbrook: "do you have any objections to us filing an application on the Mt. Defiance site." Mr. Westbrook expressed no objection, but said that he had a board meeting coming up soon, and that he would like a letter to present to the board. I told him that I would get him a letter outlining our formal proposal as soon as I could.

8. As noted, the telephone conversation took a little over 10 minutes and was friendly. When I asked Mr. Westbrook if he had any objections to us specifying the site, and he did not express any, I thought he had agreed with us. My belief, following the phone conversation, was that he would not object to Family specifying the site, and that I would have to get a formal proposal to him to begin the negotiation process. I intended to get such a proposal to Mr. Westbrook as soon as I could.

9. I did not, however, get such a proposal to Mr. Westbrook as soon as I had promised. During this same time period Family filed a Petition for Reconsideration of the Commission's action with respect to WGLY, which required my presence in Washington for an entire week (the Petition was filed October 7). WGLY was also preparing for and conducting its annual fund-raising drive, a major station activity that consumed almost all of my time during the first two weeks of October. Family was also commencing station construction on WGLV, Hartford, Vermont.

10. When I received Mr. Westbrook's letter dated November 14, 1991, I was shocked and disturbed. I thought he had had no objections. That same day I faxed him a letter, which I have attached in Attachment C, and attempted to follow that letter up with a telephone call about an hour later. I hoped to clear up this misunderstanding, and sooth his angry feelings. I hoped, and hope, to be a neighbor in that area, and I don't want any enemies. After some time on hold Mr. Westbrook's secretary told me that Mr. Westbrook "was unable to take the call."

11. Based on Mr. Westbrook's letter, and his failure to take my call, Family amended its application to specify a new site on January 23, 1992.

12. This entire controversy, and the hard feelings it has apparently caused Mr. Westbrook, are the result of a simple misunderstanding. When I asked him if he had no objections, and he expressed none, I thought that he had agreed. Hague/Ticonderoga is a small community, people know one another here. The chances of filing an application specifying a site without that person discovering the fact are pretty small. If I had purposefully or consciously misrepresented Mr. Westbrook's attitude I would be dumb to do so when he would be certain to discover that the application had been filed--as events show that he did. If I had purposefully misrepresented his consent, why would I make sure that the public notice specifying the site was published? I know people in the Hague/Ticonderoga area who know Mr. Westbrook. Would I have consciously misrepresented his attitude when common acquaintances knew of the filing of the application? I'm sorry we had this misunderstanding, but Family specified a new site as soon as it could after Mr. Westbrook made his objections known to us, and we hope that we'll have a chance soon to build and operate Hague's first broadcast station.

Executed this 28th day of MAY, 1993.

Alex D. McEwing
Alex D. McEwing

FAMILY BROADCASTING, INC.

ATTACHMENT A
NOTES OF TELEPHONE CONVERSATION

90000

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCI 90M-9-1

3575

In re Applications of)	MM DOCKET NO. 89-50-
FAMILY BROADCASTING, INC.)	File No. BPH-871215MA
GEORGE M. RAGSDALE, DANIEL F. VILES, JR.,)	
and GREGORY T. LANO d/b/a MID-ATLANTIC)	File No. BPH-871215MC
BROADCASTING COMPANY)	
WAMC)	File No. BPED-871216MA
R. BRYAN JACKSON)	File No. BPH-871216ME
For Construction Permit for a New)	
FM Station on Channel 242A in)	
Voorheesville, New York)	

O R D E R

Issued: April 24, 1990

Released: April 26, 1990

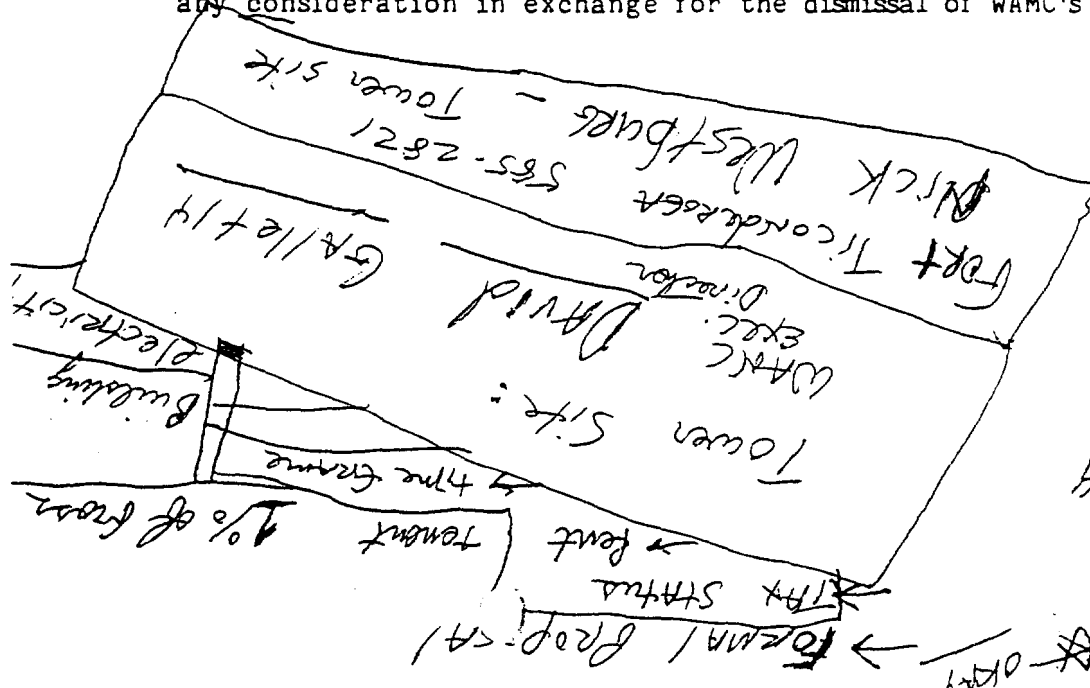
IT IS ORDERED, That the "Motion To Dismiss" filed April 23, 1990 by WAMC IS GRANTED and the application of WAMC IS DISMISSED with prejudice. ¹

FEDERAL COMMUNICATIONS COMMISSION

Joseph Chachkin

Joseph Chachkin
Administrative Law Judge

¹ WAMC and the remaining parties are directed to file a declaration stating that they have not directly or indirectly received, paid or promised any consideration in exchange for the dismissal of WAMC's application.



Nick Westburg
12883
Ticconderoga, NY
P.O. Box 390

FAMILY BROADCASTING, INC.

ATTACHMENT B

FAMILY TELEPHONE RECORDS

LONG DISTANCE NORTH

Call detail report for 09/01/91-09/30/91
WGLY-FM 103

20536 Dept. 11

DATE	TIME	CALLED NUMBER	DESTINATION	MINUTES	CHARGE
09/03	8:11	603 542-6784	CLAREMONT NH	0.6 D	0.12
09/03	9:25	802 879-0970	ESSEX JCT VT	3.1 D	0.64
09/03	16:25	603 524-8442	LACONIA NH	1.5 D	0.29
09/03	16:27	603 434-2943	DERRY NH	0.5 D	0.10
09/03	16:27	603 527-1174	LACONIA NH	4.7 D	0.90
09/03	16:36	802 860-7546	BURLINGTON VT	2.2 D	0.46
09/03	16:39	803 949-2496	LYMAN SC	7.2 D	1.53
09/03	18:19	803 244-8992	GREENVILLE SC	41.0 D	6.03
09/03	19:01	603 542-6784	CLAREMONT NH	0.5 D	0.07
09/03	20:42	802 879-0970	ESSEX JCT VT	7.3 D	1.17
09/04	17:17	603 542-6784	CLAREMONT NH	0.5 D	0.07
09/04	17:18	603 542-9634	CLAREMONT NH	0.5 D	0.08
09/04	17:19	802 296-4373	WH RIV JCT VT	0.5 D	0.16
09/04	17:20	603 742-8575	DOVER NH	1.2 D	0.21
09/04	17:22	803 244-8992	GREENVILLE SC	1.4 D	0.21
09/04	17:53	202 298-6345	WASHINGTON DC	32.7 D	4.81
09/04	18:51	202 298-6345	WASHINGTON DC	3.1 D	0.46
09/04	22:49	802 658-3500	BURLINGTON VT	1.0 D	0.16
09/05	8:12	202 632-7792	WASHINGTON DC	1.5 D	0.32
09/05	8:25	202 634-6530	WASHINGTON DC	10.2 D	2.17
09/05	13:56	603 543-6784	CLAREMONT NH	0.5 D	0.10
09/05	14:15	603 542-6784	CLAREMONT NH	21.4 D	4.11
09/05	16:22	603 542-6784	CLAREMONT NH	15.2 D	2.92
09/05	16:43	202 298-6345	WASHINGTON DC	0.7 D	0.15
09/05	17:42	202 298-6345	WASHINGTON DC	1.5 D	0.22
09/05	17:49	603 542-6784	CLAREMONT NH	0.9 D	0.12
09/05	19:37	704 868-2500	GASTONIA NC	1.0 D	0.15
09/06	8:40	202 632-3954	WASHINGTON DC	0.9 D	0.19
09/06	8:46	202 632-7106	WASHINGTON DC	1.2 D	0.26
09/06	8:47	612 290-3710	ST PAUL MN	0.7 D	0.15
09/06	9:07	202 632-3954	WASHINGTON DC	0.6 D	0.13
09/06	9:08	612 290-3710	ST PAUL MN	2.4 D	0.53
09/06	9:11	603 542-6784	CLAREMONT NH	1.0 D	0.19
09/06	9:56	202 632-3954	WASHINGTON DC	4.5 D	0.96
09/06	16:00	802 879-0970	ESSEX JCT VT	1.4 D	0.29
09/06	17:26	603 542-6784	CLAREMONT NH	0.5 D	0.07
09/06	23:53	603 542-6784	CLAREMONT NH	1.2 D	0.12
09/07	10:57	802 879-0970	ESSEX JCT VT	16.1 D	1.84
09/08	1:38	603 542-6784	CLAREMONT NH	1.1 D	0.11
09/08	16:25	802 893-2454	MILTON VT	0.7 D	0.08
09/08	17:13	802 893-2454	MILTON VT	21.7 D	3.47
09/09	9:27	612 270-2428	BURLINGTON MA	1.5 D	0.29
09/09	10:17	312 329-4276	CHICAGO IL	2.2 D	0.47
09/09	10:19	802 879-4673	ESSEX JCT VT	2.1 D	0.44
09/09	12:19	803 949-2496	LYMAN SC	0.8 D	0.17
09/09	13:46	803 949-2496	LYMAN SC	9.8 D	2.08
09/09	13:56	603 542-6784	CLAREMONT NH	22.7 D	4.36
09/09	15:04	603 542-6784	CLAREMONT NH	0.5 D	0.10
09/09	15:05	603 542-9634	CLAREMONT NH	0.7 D	0.13
09/09	16:39	802 672-3399	BRIDGEWTR VT	0.6 D	0.12
09/09	17:17	802 343-0230	VERMONT VT	0.6 D	0.10
09/10	9:38	802 496-3645	WAITSFIELD VT	1.2 D	0.25
09/10	9:40	802 496-2074	WAITSFIELD VT	0.5 D	0.10
09/10	9:41	802 828-3309	MONTPELIER VT	0.5 D	0.10
09/10	9:42	802 479-3621	BARRE VT	0.7 D	0.15
09/10	10:27	802 672-3399	BRIDGEWTR VT	2.3 D	0.48
09/10	10:39	202 298-6345	WASHINGTON DC	0.7 D	0.15
09/10	11:26	615 790-7675	FRANKLIN TN	1.6 D	0.35
09/10	11:52	802 879-5227	ESSEX JCT VT	0.5 D	0.10
09/10	13:12	802 295-9687	WH RIV JCT VT	0.7 D	0.11
09/11	10:25	802 878-8213	ESSEX JCT VT	2.5 D	0.52
09/11	10:28	802 879-5227	ESSEX JCT VT	30.0 D	6.34
09/11	11:00	802 658-0755	BURLINGTON VT	0.4 D	0.12
09/11	11:01	214 226-2229	SUNNYVALE TX	2.0 D	0.46
09/11	11:17	603 542-6784	CLAREMONT NH	0.5 D	0.10
09/11	12:23	802 878-8213	ESSEX JCT VT	29.0 D	6.22
09/11	13:45	802 394-7858	RUPERT VT	43.0 D	8.96
09/11	15:08	803 949-2496	LYMAN SC	15.0 D	3.23
09/11	15:40	802 379-5227	ESSEX JCT VT	7.0 D	1.48
09/11	15:47	603 542-6784	CLAREMONT NH	12.0 D	2.31
09/11	17:44	612 290-3710	ST PAUL MN	0.0 D	0.14
09/12	12:35	202 298-6245	WASHINGTON DC	0.0 D	0.11
09/12	12:36	202 298-6345	WASHINGTON DC	0.0 D	0.17
09/12	12:36	202 262-9879	BURLINGTON VT	0.0 D	0.12
09/12	13:25	802 879-0970	ESSEX JCT VT	0.0 D	0.29
09/12	13:25	603 542-6784	CLAREMONT NH	0.0 D	0.12
09/12	13:25	802 379-2652	ESSEX JCT VT	0.0 D	0.12
09/12	13:25	513 465-5233	ALBANY NY	0.0 D	0.12
09/12	13:25	513 525-2821	TICONDEROGA NY	0.0 D	0.12
09/12	13:25	603 542-6784	CLAREMONT NH	0.0 D	0.12

Call for Department 11 continued on next page.

00007

LONG DISTANCE NORTH

Outbound Call Detail for 11/01/91-11/30/91
WGLY-FM 103

20536 Dept. 11

Phone
Records
3 pages

DATE	TIME	CALLED NUMBER	DESTINATION	MINUTES	CHARGE
11/01	10:08	(802) 862-0800	BURLINGTON VT	3.4 D	0.65
11/01	13:30	(603) 542-6784	CLAREMONT NH	11.9 D	2.37
11/01	15:12	(603) 542-6784	CLAREMONT NH	0.7 D	0.14
11/01	17:48	(802) 674-2779	WINDSOR VT	1.3 E	0.21
11/01	17:55	(316) 267-8311	WICHITA KS	0.6 E	0.10
11/01	22:32	(802) 893-2454	MILTON VT	21.0 E	3.36
11/02	10:46	(603) 863-7991	NEWPORT NH	1.1 N	0.13
11/04	11:37	(603) 542-6784	CLAREMONT NH	0.7 D	0.14
11/04	11:42	(802) 879-2552	ESSEX JCT VT	4.7 D	0.89
11/04	11:49	(802) 879-7121	ESSEX JCT VT	6.5 D	1.24
11/04	12:01	(802) 864-0501	BURLINGTON VT	0.7 D	0.13
11/04	12:03	(802) 879-3433	ESSEX JCT VT	0.9 D	0.17
11/04	12:03	(802) 879-2552	ESSEX JCT VT	1.0 D	0.19
11/04	12:04	(802) 879-2552	ESSEX JCT VT	0.9 D	0.17
11/04	12:07	(802) 862-2589	BURLINGTON VT	0.9 D	0.17
11/04	13:17	(316) 267-8311	WICHITA KS	12.2 E	1.97
11/05	16:15	(203) 677-6700	FARMINGTON CT	2.3 D	0.46
11/05	16:35	(319) 382-4251	DECORAH IA	0.8 D	0.18
11/05	16:36	(319) 536-2227	FARMERSBG IA	0.9 D	0.20
11/06	10:42	(802) 879-0970	ESSEX JCT VT	6.1 D	1.16
11/06	11:18	(802) 878-5311	ESSEX JCT VT	1.8 D	0.34
11/06	11:55	(802) 496-6982	WAITSFIELD VT	4.6 D	0.87
11/06	16:13	(802) 479-3326	BARRE VT	1.1 D	0.21
11/06	16:22	(802) 479-3326	BARRE VT	3.6 D	0.68
11/08	10:26	(802) 879-0970	ESSEX JCT VT	19.9 D	3.73
11/08	10:30	(518) 586-0975	HOOICKFLS NY	3.6 D	0.72
11/08	10:35	(802) 379-7608	ESSEX JCT VT	0.6 D	0.11
11/08	10:56	(802) 878-8213	ESSEX JCT VT	3.4 D	0.55
11/08	11:30	(802) 748-8324	ST JOHNSBY VT	0.5 D	0.10
11/08	11:33	(802) 434-3796	RICHMOND VT	0.5 D	0.10
11/08	11:54	(603) 542-6784	CLAREMONT NH	18.9 D	3.76
11/08	12:42	(708) 986-5081	HINSDALE IL	1.5 D	0.32
11/08	12:49	(802) 878-0274	ESSEX JCT VT	3.4 D	0.65
11/08	17:07	(603) 542-6784	CLAREMONT NH	0.5 E	0.07
11/08	17:08	(603) 542-6784	CLAREMONT NH	12.2 E	1.78
11/08	18:02	(802) 879-0970	ESSEX JCT VT	1.5 E	0.24
11/08	18:20	(802) 862-2589	BURLINGTON VT	0.7 E	0.11
11/08	18:22	(802) 485-7877	NORTHFIELD VT	0.5 E	0.08
11/08	20:14	(802) 879-0970	ESSEX JCT VT	2.3 E	0.37
11/08	20:19	(802) 879-0970	ESSEX JCT VT	0.5 E	0.08
11/08	20:22	(802) 879-6862	ESSEX JCT VT	0.5 E	0.08
11/08	20:25	(603) 542-6784	CLAREMONT NH	0.5 E	0.07
11/08	20:49	(802) 879-0970	ESSEX JCT VT	12.0 E	1.92
11/11	16:02	(802) 343-0230	VERMONT VT	1.0 D	0.19
11/11	16:25	(802) 879-0970	ESSEX JCT VT	6.0 D	1.14
11/11	16:37	(802) 877-3640	VERGENNES VT	0.7 D	0.13
11/11	16:41	(802) 343-0230	VERMONT VT	0.9 D	0.17
11/12	13:46	(802) 878-8213	ESSEX JCT VT	0.5 D	0.10
11/12	13:50	(603) 543-3842	CLAREMONT NH	0.5 D	0.10
11/12	13:50	(603) 542-6784	CLAREMONT NH	0.5 D	0.10
11/12	13:51	(603) 543-3482	CLAREMONT NH	3.7 D	0.74
11/12	14:06	(802) 434-3174	RICHMOND VT	0.6 D	0.11
11/12	15:44	(603) 448-3230	LEBANON NH	0.5 D	0.10
11/12	16:05	(802) 295-5000	WH RIV JCT VT	1.2 D	0.23
11/12	16:07	(802) 672-3399	BRIDGEWTR VT	0.9 D	0.17
11/12	16:09	(603) 542-6784	CLAREMONT NH	0.7 D	0.12
11/13	11:45	(802) 879-7608	ESSEX JCT VT	0.6 D	0.13
11/13	15:45	(603) 542-6784	CLAREMONT NH	0.5 D	0.10
11/13	15:46	(802) 893-6113	MILTON VT	0.5 D	0.10
11/13	17:25	(802) 878-8069	ESSEX JCT VT	13.4 E	2.14
11/14	10:48	(802) 879-0970	ESSEX JCT VT	2.6 D	0.49
11/14	10:59	(802) 879-0970	ESSEX JCT VT	7.0 D	1.33
11/14	11:11	(802) 879-0970	ESSEX JCT VT	0.9 D	0.17
11/14	11:17	(603) 542-6784	CLAREMONT NH	0.5 D	0.10
11/14	16:03	(603) 542-6784	CLAREMONT NH	0.7 D	0.14
11/15	13:54	(606) 727-4000	COVINGTON KY	2.0 D	0.42
11/15	17:18	(802) 879-0970	ESSEX JCT VT	8.9 E	1.42
11/18	10:15	(518) 585-2821	TICONDEROGA NY	0.8 E	0.15
11/19	13:19	(214) 226-2229	SUNNYVALE TX	0.6 D	0.13
11/19	20:06	(802) 394-7858	RUPERT VT	20.9 E	3.34
11/20	10:10	(802) 658-0188	BURLINGTON VT	2.4 E	0.46
11/20	10:54	(603) 542-6784	CLAREMONT NH	25.4 D	4.05
11/20	16:01	(802) 878-8213	ESSEX JCT VT	1.4 D	0.55
11/20	16:15	(603) 542-6784	CLAREMONT NH	0.5 D	0.10
11/20	16:16	(603) 542-6784	CLAREMONT NH	0.5 D	0.10
11/20	16:17	(802) 295-6999	WH RIV JCT VT	18.2 D	2.46
11/20	16:57	(202) 298-6345	WASHINGTON DC	28.6 E	4.58
11/20	17:25	(603) 542-6784	CLAREMONT NH	0.5 E	0.13
11/20	18:32	(603) 749-4744	DOVER NH	0.6 E	0.09
11/20	18:33	(603) 749-4744	DOVER NH	0.6 E	0.09
11/20	10:44	(518) 638-8570	ARCADE NH	1.8 D	0.32

FAxed Letter
TO: Fr. Ti

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Outbound calls for department 11 continued on next page.

LONG DISTANCE NORTH

Outbound Call Detail for 11/01/91-11/30/91
WGLY-FM 103

20536 Dept. ... 0

DATE	TIME	CALLED NUMBER	DESTINATION	MINUTES	CHARGE
11/01	8:51	(802) 476-4811	BARRE	0.7 D	0.13
11/01	17:23	(603) 543-8930	CLAREMONT	1.7 E	0.25
11/01	12:45	(518) 563-5799	PLATTSBG	0.6 D	0.11
11/05	12:02	(802) 863-4398	BURLINGTON	0.9 D	0.17
11/05	12:12	(302) 476-4811	BARRE	0.6 D	0.11
11/05	12:18	(802) 893-6113	HILTON	13.8 D	3.67
11/05	13:14	(802) 295-9683	WH RIV JCT	1.3 D	0.25
11/05	13:09	(802) 476-4811	BARRE	1.3 D	0.25
11/05	20:11	(206) 565-2301	TACOMA	5.3 E	0.36
11/06	5:10	(302) 862-2475	BURLINGTON	1.2 D	0.14
11/06	11:33	(714) 738-1501	FULLERTON	1.0 D	0.22
11/06	11:38	(301) 532-0185	HAGERSTOWN	0.5 D	0.11
11/06	11:38	(301) 532-0285	HAGERSTOWN	1.6 D	0.34
11/06	12:46	(714) 738-1501	FULLERTON	0.8 D	0.18
11/07	4:44	(802) 862-2475	BURLINGTON	0.9 N	0.10
11/07	4:52	(802) 655-2322	BURLINGTON	1.2 N	0.14
11/07	6:06	(603) 543-3896	CLAREMONT	0.5 N	0.06
11/07	7:44	(603) 543-3896	CLAREMONT	24.4 D	3.52
11/07	11:42	(603) 543-3896	CLAREMONT	0.6 D	0.12
11/07	13:07	(615) 329-2611	NASHVILLE	1.4 D	0.30
11/07	17:10	(302) 479-2745	BARRE	0.5 E	0.08
11/07	17:21	(703) 512-0073	DOWNSGRV	2.1 D	0.44
11/08	14:21	(302) 362-7007	MANCHESTER	0.6 D	0.11
11/08	14:26	(603) 863-7991	NEWPORT	0.5 D	0.10
11/12	10:10	(302) 555-1212	DIR ASSISTANCE	1.4 D	0.65
11/12	10:11	(302) 632-7000	WASHINGTON	1.5 D	0.43
11/12	11:19	(302) 899-4865	UNDERHILL	8.6 D	1.39
11/12	11:24	(714) 738-1501	FULLERTON	1.1 D	0.65
11/12	12:09	(603) 555-1212	DIR ASSISTANCE	1.1 D	0.44
11/12	12:23	(603) 298-5753	LEBANON	2.4 D	0.16
11/12	14:23	(207) 655-7120	RAYMOND	0.8 D	0.62
11/12	15:38	(603) 448-0399	LEBANON	2.6 D	0.52
11/12	15:40	(603) 448-0399	LEBANON	1.2 D	0.18
11/13	17:08	(603) 863-7991	NEWPORT	1.2 E	0.35
11/13	18:13	(518) 585-2210	TICONDEROGA	1.9 D	0.91
11/13	18:26	(302) 893-6113	HILTON	4.8 D	0.65
11/19	11:48	(518) 555-1212	DIR ASSISTANCE	2.0 D	1.07
11/19	13:49	(603) 863-7991	NEWPORT	5.4 D	0.14
11/19	20:40	(302) 482-3961	HINESBURG	0.9 E	0.13
11/20	18:26	(603) 743-6444	DOVER	0.7 E	0.10
11/20	18:36	(603) 743-6444	DOVER	1.3 N	0.15
11/21	5:49	(302) 862-2475	BURLINGTON	4.3 D	0.82
11/21	11:41	(302) 295-9683	WH RIV JCT	0.5 D	0.10
11/21	4:42	(802) 524-6771	ST ALBANS	0.6 D	0.11
11/21	16:11	(802) 362-7007	MANCHESTER	0.9 D	0.14
11/21	17:01	(302) 893-6113	HILTON	0.7 E	0.14
11/22	14:49	(201) 839-1011	POMPTONLKS	1.7 D	0.20
11/22	15:00	(518) 793-7423	GLENFALLS	1.0 D	0.21
11/22	15:02	(317) 962-8961	RICHMOND	1.2 D	0.25
11/22	15:04	(412) 327-9336	EXPORT	0.8 D	0.16
11/22	15:06	(508) 433-8981	PEPPERELL	1.4 D	0.30
11/22	15:10	(301) 330-7198	GAITHERSBG	0.9 D	0.19
11/22	15:12	(609) 467-3044	SWEDESBO	5.1 D	0.97
11/22	15:21	(802) 362-7007	MANCHESTER	1.6 D	0.30
11/25	9:06	(802) 524-6771	ST ALBANS	0.7 D	0.13
11/25	9:26	(302) 893-6113	HILTON	4.8 D	0.91
11/25	11:41	(802) 362-7007	MANCHESTER	0.5 D	0.09
11/25	11:44	(603) 643-7655	HANOVER	5.9 D	1.12
11/25	13:21	(302) 863-4398	BURLINGTON	2.0 D	0.38
11/25	14:30	(302) 864-6347	BURLINGTON	0.5 D	0.10
11/25	15:33	(302) 863-4398	BURLINGTON	0.5 D	0.10
11/25	15:59	(302) 893-6113	HILTON	8.3 D	0.95
11/26	15:19	(802) 893-6642	HILTON	2.5 D	0.48
11/26	9:34	(802) 295-9683	WH RIV JCT	1.7 D	0.34
11/26	9:51	(617) 837-0970	MARSHFIELD	0.7 D	0.13
11/26	10:19	(302) 674-2779	WINDSOR	0.5 D	0.10
11/26	10:49	(617) 837-0970	MARSHFIELD	1.4 D	0.31
11/26	14:49	(206) 842-8548	BAINBDG IS		

*called to follow
up - was
put on hold
then told
he could
not take my
call. I left
a message -
the call w
never return

Outbound Call detail summary for Department 0	170	31.76
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FAMILY BROADCASTING, INC.

ATTACHMENT C

LETTER TO MR. WESTBROOK

WGLV
Family 103
Waterbury/
Burlington

FAMILY BROADCASTING INCORPORATED

P.O. BOX 150 WATERBURY, VT 05676-0150 (802) 244-5683

November 18, 1991

Mr. Nicholas Westbrook
Fort Ticonderoga
Fort Road, Box 390
Ticonderoga, New York 12883

** Faxed and mailed
first class **

fax (518) 585-2210

Dear Mr. Westbrook:

My sincere apologies for the misinterpretation...I am truly sorry if you were offended. We had no intentions to offend you.

I specifically told you on the phone when I talked with you, that the FCC is a long process, and that if you had no objections we would be filing an application for Hague, NY with a proposed transmitter on Mt Defiant obviously pending your formal approval. We have a written option on another transmitter site to use for this proposed facility. But, it was my impression from you that your organization might have some interest in leasing space for the right price and terms - by legal definition of "reasonable assurance" - that impression is all that is necessary to file an FCC application - it gets the long process rolling.

Our intention was to file the application based on our impression that there was a tower rental opportunity available, and then formally submit the letter you requested. We have not previously encountered such vehement objections to this process. If you have no interest as today's letter seems to state, then we will pursue more substantial plans at our alternate sites. Frankly, we don't really care what site this FM ends up - my mistake for thinking you would enjoy an extra few hundred dollars a month.

Thank you for clearly letting us know your position. We will pursue our alternate plans.

Sincerely,

Alexander McEwing
Alexander McEwing
President

Family Broadcasting, Inc.

cc. Joe Dunne III, esquire, May & Dunne Chartered
Gary Savoie, Mirkwood Engineering
Mass Media, FCC

WGLV
Family 104
Hartford/
Hanover
P.O. Box 4723
White River Jct., VT
05001-4723
(802) 295-6999

Channel 39
Family TV
Essex/
Burlington

P.O. Box 8200
Burlington, VT
05402-8200
(802) 244-1000

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B

TESTIMONY OF ALEXANDER D. McEWING

ATTACHMENT B

PORTION OF COUNSEL'S LETTER OF SEPTEMBER 20, 1991